IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 13TH DECEMBER 2006 / 22ND AGRAHAYANA 1928

Bail Appl..No. 7291 of 2006()

AGAINST THE ORDER IN BA.6655/2006
Crime No.394/2006 of Payyannur Police Station

.....

PETITIONER/ACCUSED:

SHYAM S/O.GOPALAN, AGED 18 YEARS,
CHELLAN HOUSE, CHERAL EDAT,
KUNHIMANGALAM AMSOM, EDAMAD DESOM.

BY ADV. SRI.SOJAN MICHEAL

RESPONDENT: COMPLAINANT:

THE STATE OF KERALA (S.H.O.,PAYYANNUR
POLICE STATION) REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

==========

B.A.No.7291 of 2006

==========

Dated this the 13th day of December, 2006.

ORDER

Petitioner, who is the first accused in Crime No.394 of 2006 of Payyannur Police Station for offences punishable under Sections 143, 147, 148, 447, 333 and 506(ii) read with Section 149 I.P.C., seeks anticipatory bail.

2. The occurrence took place on 18.10.2006 during which the petitioner is alleged to have beaten the Sub Inspector of Police with a wooden stick causing fracture of vertebra and other injuries. The occurrence was a retaliatory sequel to an earlier incident between the students of the Payyannur College and certain autorikshaw drivers. The present incident took place within the premises of the College into which the autorikshaw drivers and their companions had trespassed and attacked the students in which five students were also injured.

3. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not seek regular bail after

surrendering before the Magistrate concerned. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within 10 days from today, the same shall be considered and disposed of preferably on the same day on which it is filed.

With this direction, this petition is dismissed.

V.Ramkumar,
Judge.

ess 13/12